

PATENT

MS150960.01/MSFTP116US

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Himanshu S. Amin

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Quentin J. Clark, *et al.*

Examiner: Thanh T. Vu

Serial No: 09/606,383

Art Unit: 2174

Filing Date: June 28, 2000

Title: USER INTERFACE TO DISPLAY AND MANAGE AN ENTITY AND ASSOCIATED
RESOURCES

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

Applicants' representative submits this Reply Brief in response to the Examiner's Answer dated April 5, 2005. A Request for Oral Hearing and a credit card payment form are filed concurrently herewith, wherein the credit card payment form is believed to cover all fees due regarding this document and the Request for Oral Hearing. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 (MSFTP116US).

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REMARKS

In the Examiner's Answer, the Examiner incorrectly states "the rejection of claims 1 – 48 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof." See 37 CFR 1.192(c)(7). Applicants' representative respectfully submits that the requirements of 37 CFR 1.192 were removed effective September 13, 2004, and, the current requirements regarding appeal briefs do not include a grouping of claims. See 37 CFR 41.37.

Claims 1-48 are currently pending and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein. In particular, the following comments address deficiencies contended in the Examiner's Answer to applicants' Appeal Brief.

I. Regarding the Rejection of Claims 1-5, 7, 9-21, 23-25, and 31-48 Under 35 U.S.C. §102(e)

The Examiner incorrectly maintains the rejection of claims 1-5, 7, 9-21, 23-25, and 31-48 under 35 U.S.C. §102(e) as being anticipated by Chin, *et al.* (U.S. 6,456,306). It is respectfully submitted that the assertions brought forth in the Final Office Action and the Examiner's Answer are incorrect in view of at least the reasons set forth below as well as in applicants' Appeal Brief.

The subject application is directed to a user interface to display and manage an entity and associated resources. (p. 1, lines 4 and 5). Independent claim 1 recites limitations of: "a representation of a collection of members as a single entity; and an individual representation of each member associated with the entity; *wherein if an action is performed on the representation of the collection of members, then the action is propagated to the collection of members*, if the action is performed on the representation of the member associated with the entity, then the action is directed to the member." (Emphasis added). Thus, the present invention facilitates "actions to be performed on representations of the entities as a whole and/or on representations of members associated with the entity individually." (p. 3, lines 22, 23). Chin *et al.* does not teach or suggest such features of applicants' claimed invention.

Rather, Chin *et al.* is directed to "[a] method and apparatus for concurrently displaying from a single window on a network management station the health status of all network devices and objects of a computer network." (Abstract). Chin *et al.* "uses colored network device icons

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(e.g., 601-603) and status panes (610-650) to report the current operational state of the devices in the network or within a selected network site.” (Col. 6, lines 49-52). Applicants’ representative respectfully submits that Chin *et al.* does not teach, disclose or suggest *performing an action on a representation of a collection of members which results in the action being propagated to the members of the collection* as recited in independent claim 1 of the subject application.

In the Final Office Action mailed June 14, 2004, the Examiner asserts:

Chin teaches where if an action is performed on the representation of the collection of members, then the action propagated to the collection of members (figs. 3 and 6, the collection of members: site pane 310 or resource pane 320; See col. 2, lines 27-44; col. 9, lines 29-31, lines 34-37 and lines 43-46), if the action is performed on the representation of the member associated with the entity, then the action is directed to the member (figs. 3 and 6; the member associated with the entity: content pane 330; See col. 2, lines 27-44; col. 9, lines 34-37).

Further, in the Examiner’s Answer, the Examiner asserts:

The examiner interprets “if an action is performed on a representation of the collection of numbers, then the action is propagated to a collection of members” to be if the collection of members of site pane 310 or 320 of fig. 3 is dragged to window 600 of fig. 6 (and action is performed to show the status of the collection of members) each member of the collection is displayed in a status pane that matches its status, col. 9, lines 34-37 and lines 43-46 (the action is propagated to collection of members.)

Examiner’s Answer at p. 10.

Applicants’ representative respectfully submits that the figures and sections of Chin *et al.* relied upon by the Examiner do not teach, disclose or suggest the aforementioned limitation of claim 1. It is readily apparent that the reliance upon Chin *et al.* is misplaced. The figures and sections of the cited section(s) of this reference relate to allowing “the network manager to quickly navigate to a particular network device or object according to device type to initiate configuration, performance, fault, and security management tasks”. Col. 2, lines 41-44 (emphasis added). Chin *et al.* further provides for adding new network objects to be monitored. Col. 9, lines 24-26 (emphasis added). While Chin *et al.* discloses viewing members of a collection (Figs. 3 and 6), it does not disclose *propagating an action to a collection of members*

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if an action is performed on a representation of the collection of members as in the claimed invention.

Therefore, it is readily apparent that the assertions in the Examiner's Answer are incorrect, and that this rejection should be withdrawn.

II. Regarding the Rejection of Claims 6 and 8 Under 35 U.S.C. §103(a)

The Examiner incorrectly maintains the rejection of claims 6 and 8 under U.S.C. §103(a) as being unpatentable over Chin, *et al.* in view of Richardson (U.S. 6,271,845). It is respectfully submitted that the assertions brought forth in the Final Office Action and the Examiner's Answer are incorrect in view of at least the reasons set forth below as well as in applicants' Appeal Brief.

The combination of Chin *et al.* and Richardson does not make obvious applicants' invention as recited in the subject claims - the references if combined as suggested in the Office Action would not result in the invention as claimed.

It is essential to consider all elements of the claimed invention; it is impermissible to compare the prior art with what the viewer interprets the "gist" of the invention to be *Vas-Cath Inc. v. Mahurkar*, 935 F.2d 1555, 19 USPQ2d 1111 (Fed. Cir. 1991); *Perkin-Elmer Corp. v. Computervision Corp.*, 732 F.2d 888, 221 USPQ 669 (Fed. Cir. 1984); *Jones v. Hardy*, 727 F.2d 1524, 1527-28, 220 USPQ 1021m 1024 (Fed. Cir. 1984).

The subject claims respectively depend from claim 1; and as noted *supra* Chin *et al.* does not teach or disclose the limitation of propagation of an action to a collection of members based on an action performed on the representation of the collection of members, as recited in independent claim 1. Richardson does not make up for the deficiencies of Chin *et al.* with respect to this claim. Therefore, this rejection should be withdrawn.

III. Regarding the Rejection of Claims 22 and 26 Under 35 U.S.C. §103(a)

The rejection of claims 22 and 26 have been incorrectly maintained by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Chin, *et al.* in view of Manghirmalani, *et al.* (US 5,819,028). Reversal of this rejection is respectfully requested for at least the following reasons.

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As noted above, applicants' representative respectfully submits that Chin *et al.* does not teach or disclose the limitation of propagation of an action to a collection of members based on an action performed on the representation of the collection of members, as recited in independent claim 1 of the subject application. Manghirmalani *et al.* does not make up for this deficiency.

In view of at least the above, it is submitted that the combination of Chin, *et al.* and Manghirmalani *et al.* does not teach, suggest and/or make obvious the subject invention as recited in claims 22 and 26 (which depend from claim 1). Accordingly, this rejection should be reversed.

IV. Regarding the Rejection of Claims 27 - 30 Under 35 U.S.C. §103(a)

The Examiner incorrectly maintains the rejection of claims 27 - 30 under U.S.C. §103(a) as being unpatentable over Chin, *et al.* in view of Bradley, *et al.* (US 6,584,507). This rejection should be reversed for at least the following reasons.

The combination of Chin *et al.* and Bradley *et al.* does not make obvious the subject invention as recited in claims 27 - 30. The references if combined as suggested by the Examiner would not result in the invention as claimed.

As noted *supra*, Chin *et al.* does not teach or disclose the limitation of *propagation of an action to a collection of members based on an action performed on the representation of the collection of members*, as recited in independent claim 1 of the subject application from which the subject claims depend. Bradley *et al.* does not make up for the aforementioned deficiencies of the primary reference with respect to claim 1.

Accordingly, the combination of Chin, *et al.* and Bradley *et al.* does not teach, suggest and/or make obvious the subject invention as recited in claims 27 - 30 (which depend from claim 1); and this rejection should be reversed.

V. Conclusion

The subject application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 (Reference No. MSFTP116US).

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Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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